

REMARKS

Claims 26-70 are pending. Claims 26, 40, 54, 62 and 63 are amended. Support for these amendments can be found in the original specification and claims, specifically at page 8, line 22 to page 9, line 6, and Figure 1. No new matter is added.

Claim rejections – 35 U.S.C. § 102

Claims 26, 27, 30, 31, 38, 39, 54-57 and 61 are rejected under 35 U.S.C. § 102(b) as anticipated by Wu *et al.* (US Patent 6,200,532).

According to the Office Action, Wu describes a device for performing a blood coagulation assay, the device comprising a disposable strip containing a chamber for holding a quantity of blood sample, a magnetic bender body in the chamber and a magnetic field generator underneath the chamber. Wu discloses that the bender **2** is attached to the piezo-electric film **3**. See Wu at col. 4, ll. 60-64 and Figure 2. In contrast to Wu, the present claims require a chamber and a body, wherein the body is not fixably attached to the chamber. Wu does not disclose or suggest a bender body that is not fixably attached to the chamber. Thus Wu does not disclose or suggest every limitation of amended claims 26 and 54, and the claims dependent thereto.

Reconsideration and withdrawal of the rejection is respectfully requested.

Claim rejections – 35 U.S.C. § 103

Claims 29, 32-37, 40, 41, 43-51, 58, 59, 63-68 and 70 are rejected under 35 U.S.C. § 103(a) as unpatentable over Wu, and claims 28, 42, 60 and 62 are rejected under 35 U.S.C. § 103(a) as unpatentable over Wu in view of Griebeler (US Patent 5,315,244).

The deficiencies of Wu are discussed above. Griebeler does nothing to cure these deficiencies. As such, claims 28, 29, 32-37, 40-51, 58-60, 62-68 and 70 are not obvious in view of Wu, or Wu in combination with Griebeler.

Reconsideration and withdrawal of the rejection is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, the Applicants believe that the pending claims are in condition for allowance. If a telephone conversation with Applicant's Attorney would expedite prosecution of the application, the Examiner is urged to contact the undersigned.

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Respectfully submitted,

By Gregory J. Sieczkiewicz /
Gregory J. Sieczkiewicz
Registration No.: 48,223
Customer No. 63767
FOLEY HOAG LLP
155 Seaport Blvd
Boston, Massachusetts 02210
(617) 832-1705
Attorney for Applicants